

REMARKS

In this reply, Applicant adds claims 24 and 25. Claims 1-4, 6, and 9-25 are thus currently pending. The changes to the claims find non-limiting support in the originally-filed application. No new matter has been added.

In the outstanding Office Action, claims 1-4, 6, and 9-23 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hsu (U.S. Patent Application Pub. No. 2004/0000727). Applicant respectfully requests favorable reconsideration of the rejection of claims 1-4, 6, and 9-23 for the reasons set forth below.

The Office Action asserts at pages 2 and 3 that Hsu anticipates independent claims 1 and 10 because Hsu's main plate 16, extending arm 18, and separate arm 19 "form[] the base of the structure" and "the base protrud[es] from all the middles of the sides and the bottom (see e.g. fig. 11 and 12), wherein they are not covered by the encapsulant thus the[y] protrude from the encapsulant." Applicant respectfully disagrees for at least three independent reasons.

First, Applicant respectfully submits that the assertion that "they are not covered by the encapsulant," upon which the Office Action relies to assert that Hsu discloses protrusions, is inaccurate because Hsu expressly states the contrary. To that effect, Hsu states that "encapsulants 50 not only cover the main plates 16, the bridges 17, the extending arms 18 and the separate arms 19 of the cells 11 but also the dividing bars 14 and 15 of the frame 10" (see paragraph [0023], emphasis added). Thus, even if, arguendo, the failure to be covered by the encapsulant were to cause a structure to be protruding as asserted in the Office Action, which Applicant denies, the elements of Hsu identified in the Office Action as protruding would not be protruding because they are

covered by Hsu's encapsulant. Accordingly, for that reason alone, Hsu fails to disclose at least that "the base . . . protrudes from a bottom surface and two other side surfaces of the housing," as recited in claim 1, and that "the electrically conductive frame . . . protrudes to two other side surfaces of the housing," as recited in claim 10. Thus, for that reason alone, Applicant respectfully requests favorable reconsideration of the rejection of independent claims 1 and 10 as being anticipated by Hsu.

Second, regardless of the presence or absence of any encapsulant, Applicant respectfully submits that Hsu's main plate 16, extending arm 18, and separate arm 19 do not protrude out of the base 51 and the LED package 60. To that effect, Hsu's main plate 16 is contained within the base 51 (see Fig. 12), and its extending arm 18 and separate arm 19 are level and even with the side surfaces of the base 51 (see Fig. 11, which has a flat bottom and hence no protrusion from that bottom, and Fig. 12, which has flat sides and thus also does not have any protrusions from those sides). Thus, Hsu's main plate 16, extending arm 18, and separate arm 19 are not protruding. Applicant acknowledges the assertion at page 2 of the Office Action that "Applicant has not given a well defined meaning of the term 'protruding,'" but respectfully submits that the term "protruding" is well defined by its plain English meaning. For instance, non-limiting, exemplary definitions of "protruding" include "to push or thrust outward" or "to jut out; project" (see The American Heritage® Dictionary of the English Language, Fourth Edition, Houghton Mifflin Company, 2004, available at <http://dictionary.reference.com/browse/protruding> (last visited April 22, 2008)) and "extending out above or beyond a surface or boundary" (see WordNet® 3.0, Princeton University, available at <http://dictionary.reference.com/browse/protruding> (last visited

April 22, 2008)). Such definitions are entirely consistent with Applicant's specification and figures, and are also entirely consistent with the "extending past" definition provided by the Examiner at page 2 of the Office Action. Applicant submits, however, that Hsu main plate 16, extending arm 18, and separate arm 19 do not satisfy any of those definitions and are not protruding structures. Accordingly, for that reason alone, Hsu fails to disclose at least that "the base . . . protrudes from a bottom surface and two other side surfaces of the housing," as recited in claim 1, and that "the electrically conductive frame . . . protrudes to two other side surfaces of the housing," as recited in claim 10. Thus, for that reason alone, Applicant respectfully requests favorable reconsideration of the rejection of independent claims 1 and 10 as being anticipated by Hsu.

Third, Applicant respectfully submits that Hsu's "bases 51 of the encapsulants 50 are integrated together" (paragraph [0023]) and apparently made of "insulated epoxy resin with high *transparency*" (paragraph [0025], emphasis added). Thus, even if it were the case that Hsu's main plate 16, extending arm 18, and separate arm 19 were to protrude from the bottom or sides of the base 51 illustrated in Figs. 11 and 12, which Applicant denies for the foregoing reasons, any such protrusion would then occur from a transparent housing, not from a housing formed of "an *opaque* plastic material," as recited in claims 1 and 10.

Accordingly, for any one or more of the foregoing reasons, Applicant respectfully submits that Hsu fails to disclose each and every element of independent claims 1 and 10. Thus, Applicant respectfully requests favorable reconsideration of the rejection of claims 1 and 10 and their dependent claims as being anticipated by Hsu.

In addition, Applicant appreciatively acknowledges the alternative language suggested by the Examiner at page 2 of the Office Action, i.e., "Does applicant mean a portion extending past the bottom and two side surfaces of the housing?" In response, Applicant adds new claims 24 and 25, which recite similar language and are fully supported by the originally-filed application. Should the Examiner decline to allow the pending claims despite the foregoing reasons, Applicant respectfully submits that Hsu clearly does not disclose at least the features of new dependent claims 24 and 25, and thus that these new claims are allowable.

Finally, because the outstanding Office Action contains characterizations of the claims and the related art with which Applicant does not necessarily agree, Applicant declines to subscribe to any statement or characterization in the outstanding Office Action unless expressly noted otherwise.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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